

<p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">9.4</p> <p>Date Filed</p> <p style="text-align: center;">September 15, 2004</p>	<p>Total Pages</p> <p style="text-align: center;">4</p> <p>Effective Date</p> <p style="text-align: center;">January 4, 2005</p>
<p>References</p> <p>KRS 196.035, 197.020 200 KAR, Chapter 2 ACA Standard 4-4445</p>	<p>Subject</p> <p style="text-align: center;"><b>TRANSPORTATION OF INMATES TO FUNERALS OR BEDSIDE VISITS</b></p>	

## I. DEFINITIONS

### A. "Immediate family" means:

1. Parents, including step-parents and those who may have reared the inmate in place of parents
2. Grandparents
3. Brothers, sisters and other sibling relations such as half and step siblings
4. Spouse and children including step-children or adopted children
5. A child to whom the inmate, although not a natural parent, acted as a parent.

### B. "Bedside visit" means a visit to an immediate family member, who is critically ill and who, in the opinion of the attending physician, is not expected to survive. These visits shall be made only at a hospital, nursing home, or convalescence center.

## II. POLICY and PROCEDURE

- A. When feasible, arrangements may be made to allow an inmate to make a bedside or funeral home visit for an immediate family member. An inmate shall not attend both a bedside visit and a funeral home visit for the same person.
- B. The visit shall be limited to the confines of the Commonwealth of Kentucky.
- C. If the inmate's custody and other considerations permit, a furlough may be used for the visit.
- D. A community center inmate who qualifies for a furlough under CPP 25.6 may be issued an emergency twenty-four (24) hour furlough without a staff escort. A

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community center inmate who is not eligible for a furlough shall be transported in accordance with the provisions of this procedure.

#### E. Approval Process

1. The final decision concerning an inmate visiting a funeral home or making a bedside visit shall be made by the warden or his designee. The Community Detention Branch Manager shall determine whether a community center inmate may make a funeral home or bedside visit. Decisions shall be made on a case-by-case basis considering factors like:
  - a. Institutional behavior
  - b. History of escapes or violence
  - c. Mental condition of inmate
  - d. Community attitude toward the inmate
  - e. Conditions at the site of the visit
  - f. Legitimate security concerns that may create a risk to staff, inmate, or other person.
  - g. Objections from immediate family.
2. The relationship of the family member shall be verified through the inmate record. If the relationship is not clear, local law enforcement agencies or probation and parole officers may be contacted for verification as to the relationship of the family member.
3. The necessity for a bedside visit shall be verified through the attending physician.
4. Confirmation of death shall be verified through the funeral home.
5. The Warden or his designee denying a visit shall justify the denial in writing and shall place the reason for denial in the institutional file.

#### F. Transporting Staff

1. In accordance with this policy, an inmate shall be transported by an on-duty staff member. An off-duty officer may be scheduled to transport an inmate. However, an officer shall be on-duty when placed in charge of an inmate.

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2. In the case of an inmate with medium, close, or maximum custody, the staff member shall be a correctional officer. In a minimum security institution, other staff may provide transport. A community center inmate approved for a funeral visit and who does not qualify for an emergency furlough shall be transported by a local probation and parole officer.

#### G. Time Limits

1. The trip shall be completed within a twenty-four (24) hour period except when feasible or necessary to lodge the inmate overnight at an institution with a security rating appropriate to the inmate's custody.
2. For an escorted funeral visit, arrangements shall be made through the funeral director for the inmate to visit at a private time prior to the funeral. The visit shall be scheduled no less than one and one half hours before the actual funeral. The inmate may be allowed a thirty-minute visit. Immediate family may be present unless concerns for adequate security exist. The inmate shall not be allowed to attend the funeral or go to the cemetery.

#### H. Security Procedures

1. An inmate shall travel and remain in restraints appropriate to his custody level. The Warden, Deputy Warden or senior security officer may specify a higher level of restraint.
2. The trip shall be planned and made in accordance with CPP 9.9.
3. Law enforcement officials, in the area requested for visit, may be contacted for notification purposes or to solicit information pertinent to the security of the requested trip.
4. The trip shall be made in a state vehicle.
5. Accompanying staff members shall keep the inmate in sight at all times.
6. An inmate shall be dressed in a transportation jumpsuit.

#### I. Expenses

1. The institution shall require payment from the inmate or the inmate's family for the transporting staff members' time, vehicle costs and incidental expenses like toll charges, parking and meals. Calculation of costs shall be made by the inmate account office. If the inmate is paying the costs, he shall sign an authorization to have the costs transferred from his account. If the inmate cannot pay, the inmate's family must be able to

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pay for the funeral trip. The collection of expenses shall be made through the funeral director. The cost of the trip shall be reported to the funeral director. The funeral director shall present a check made payable to the Kentucky State Treasurer to the transporting officer.

- a. Staff time shall be computed by using the midpoint hourly rate for a correctional officer. If the trip requires the institution to hire a correctional officer for overtime, staff time shall be computed by using the overtime rate for a correctional officer.
  - b. Vehicle mileage shall be computed at the standard state mileage rate contained in the regulation on travel expenses 200 KAR, Chapter 2.
  - c. Meals shall be charged at the standard rate given in the regulations on travel expenses 200 KAR, Chapter 2.
  - d. Incidental expenses shall be charged at actual cost.
2. If the inmate is indigent and the family cannot pay all or part of the costs of the trip, the Warden or his designee may authorize the transportation costs to be paid from the institution's inmate canteen fund.
  3. Money received as reimbursement shall be deposited in the institution's Trust and Agency account.